

AO450 - Judgment in a Civil Case

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Martha Ward, on behalf of herself
and all others similarly situated,

Plaintiff,

vs.

JUDGMENT IN A CIVIL CASE

Case Number: 3:03-3239-JFA

Dixie National Life Insurance Company
and National Foundation Life Insurance
Company,

Defendants.

[X] **Decision by Court.** This action came to hearing before the Court, Honorable Joseph F. Anderson, Jr., United States District Judge, presiding. The court having granted the plaintiff's motion for summary judgment as to her breach of contract claim and the court having awarded damages in favor of the plaintiff and the class members she represents,

IT IS ORDERED AND ADJUDGED that summary judgment is entered for the plaintiff, Martha Ward, on behalf of herself and all others similarly situated, as to her breach of contract claim. The plaintiff shall recover of the defendants, Dixie National Life Insurance Company and National Foundation Life Insurance Company, the sum of Seven Million, Eight Hundred Twenty-Eight Thousand, Seventy-One and 39/100 (\$7,828,071.39) Dollars which includes pre-judgment interest. Post-judgment interest shall accrue at the rate of 0.69%.

IT IS FURTHER ORDERED AND ADJUDGED plaintiff's claim for breach of contract accompanied by a fraudulent act is dismissed with prejudice.

IT IS FURTHER ORDERED AND ADJUDGED that attorneys fees are awarded in the amount of thirty percent (30%) of the funds recovered, plus three percent (3%) for future services and expenses, and costs and expenses in the amount of One Hundred Ninety-Two Thousand, Five Hundred Ninety-Six and 73/100 (\$192,596.73) Dollars.

LARRY W. PROPES, Clerk

s/Brian D. Shropshire

By _____
Deputy Clerk

December 15, 2008
Columbia, South Carolina